

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE:

August 11, 2016

AGENDA DATE:

August 17, 2016

PROJECT ADDRESS: 100 E. Constance Avenue (MST2014-00625)

TO:

Susan Reardon, Senior Planner, Staff Hearing Officer

FROM:

Planning Division, (805) 564-5470

Danny Kato, Senior Planner Jo Jo Anne La Conte, Assistant Planner

I. PROJECT DESCRIPTION

The 33,779 square foot site is currently developed with a 3,357 square foot two-story single family residence with an attached 523 square foot two-car garage, a swimming pool and an "asbuilt" 139 square foot detached shed. The proposed project involves 365 square feet of firstfloor additions, 121 square feet of second-floor additions and permitting the "as-built" 139 square foot detached shed. The property includes a designated historic Indian Laurel Fig tree to remain unaltered. The proposed total of 4,505 square feet on a 37,779 square foot lot is 92% of the guideline maximum floor-to-lot area ratio (FAR). This project will address violations identified in a Zoning Information Report (ZIR2014-00300).

The discretionary applications required for this project are:

- A Front Setback Modification to allow the "as-built" shed in the required 30-foot front 1. setback facing Constance Avenue (SBMC § 28.15.060 and SBMC § 28.92.110); and
- An Interior Setback Modification to allow the "as-built" shed in the required 10-foot 2. interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
- 3. A Modification to allow the "as-built" shed to be located within a front yard (SBMC § 28.87.170 and SBMC § 28.92.110).

Date Application Accepted: July 13, 2016

Date Action Required: October 11, 2016

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

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III. SITE INFORMATION AND PROJECT STATISTICS

Α. SITE INFORMATION

Applicant:

Becker Studios, Inc.

Property Owner: Kenny Van Zant

Parcel Number: 025-041-001

Lot Area:

37,779 sq. ft.

General Plan: Low Density Residential

Zoning:

E-1

Existing Use:

(Max. 3 du/acre) Single Family Residence

Topography:

17% slope

Adjacent Land Uses:

North – Single Family Residential

East - Single Family Residential

South – Single Family Residential

West – Single Family Residential

B. PROJECT STATISTICS

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Proposed

Living Area

3,357 sq. ft.

+486 = 3,843 sq. ft.

Garage & Carport

662 sq. ft.

-139 (carport) = 523 sq. ft.

Accessory Space

0 sq. ft.

139 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 4,391 sf 12 %

Hardscape: 8,529 sf 22%

Landscape: 24,858 sf 66%

IV. **BACKGROUND**

On June 3, 1997, a modification was approved to permit an "as-built" carport to be located within the required 30-foot front and 10-foot interior setbacks at the property. A 2014 Zoning Information Report (ZIR2014-00300) noted that a door was added to the carport in the required front and interior setbacks without the required permits, and a site inspection showed that a door was added to the rear of the structure and in the required interior setback without the required permit, which resulted in the conversion from the carport to a shed.

The current project (MST2014-00625) was approved by the Single Family Design Board (SFDB) on March 19, 2015 and originally included removal of the "as-built" shed. A building permit (BLD2015-00536) was issued for the project on May 11, 2015. The project has been revised to include permitting the "as-built" shed at the property, which requires modification approval.

V. **DISCUSSION**

Front Setback Modification

A small corner of the shed is located in the 30-foot required front setback facing Constance Avenue. Staff is in support of the front setback modification as the encroachment into the front setback is minor, the property is site constrained due to the two front setbacks and the location of the existing development on site, the "as-built" shed is not visible from the street, and as the STAFF HEARING OFFICER STAFF REPORT 100 E. CONSTANCE AVENUE (MST2014-00625) AUGUST 11, 2016 PAGE 3

new door to the shed (former carport) facing Constance Avenue will not result in any further encroachment into the required front setback.

Interior Setback Modification

A portion of the shed with two doors (one at the front and one at the rear) is located in the required 10-foot interior setback. Staff is in support of the interior setback modification, because the grade change along the interior property line results in the shed being much lower than the neighboring property, the structure will not encroach any further into the setback than what was approved, the structure will provide needed storage for the property and the structure with new doors is not anticipated to adversely impact the adjacent neighbor.

Detached Accessory Space

The Zoning Ordinance does not allow accessory buildings, except garages, in a front yard. Therefore a Modification is required.

Staff supports the proposal to allow the detached accessory space (shed) in the remaining front yard, because of the site constraints associated with the current development on site (the two front yards facing Constance and Anacapa Streets), and because the detached accessory space is not visible from the street.

This project was reviewed by the SFDB on May 16, 2016, and was forwarded to the Staff Hearing Officer (SHO) with comments.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification to allow the detached shed with door to encroach into the required front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The "as-built" shed is appropriate because the encroachment into the front setback is minor, the property is site constrained due to the two front setbacks, the "as-built" shed is not visible from the street, and as the new door to the structure will not result in any further encroachment into the required front setback.

The Staff Hearing Officer finds that the Modification to allow the detached shed with new door to encroach into the required interior setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The "asbuilt" shed is appropriate because of the grade change along the interior property line, the structure will not encroach any further into the setback than what was approved, the structure will provide needed storage for the property and the structure with new doors is not anticipated to adversely impact the adjacent neighbor.

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The Staff Hearing Officer finds that the Modification to allow detached accessory space to be located within the remaining front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The "as-built" shed is appropriate because of the site constraints associated with the current development on site, the two front setbacks and as the shed is not visible from the street.

Said approval is subject to a condition that the violations outlined in ZIR2014-0300 shall be abated as part of this proposal and shall be included in the Scope of Work for the project.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 16, 2016
- C. Letter to the SFDB dated May 10, 2015 from Florence J. Sanchez
- D. SFDB Minutes dated May 16, 2016

Contact/Case Planner: Jo Anne La Conte, Assistant Planner (JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x3320

*** SEPARATELY DISTRIBUTED SITE PLAN ***

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at <u>www.SantaBarbaraCA.gov</u> to verify closure dates.



Darrell Becker PO Box 41459 Santa Barbara, CA 93140 (805) 965-9555

June 16, 2016



CITY OF SANTA BARBARA PLANNING DIVISION

Staff Hearing Officer City Santa Barbara PO Box 1990 Santa Barbara, CA 93102-1990

Re: Modification Request for 100 E Constance Avenue Santa Barbara, CA 93105 APN 025-041-001, Zone District E-1

We are requesting approval to allow the as built conversion of a carport to a shed. It involves a new carriage door, side walls and read door. It requires modifications for an accessory structure in the front yard and encroachments in the front and interior setbacks. A modification was granted in 1997 to allow a trellis and carport to encroach into the required front and interior setback in the same location.

The area was always used as the storage shed since the 1940's. There exists a two car garage on site that serves the parking needs. The shed would help in storage needs since there are no other areas to store items. The carriage door is desired to enclose and keep from eye sight the items stored inside. The carport was too small for a vehicle anyway. It resembles the house and has existed for decades. The structure is not seen from the street at all because of existing perimeter site walls and it is down 15'-0" or so from street level on Constance Avenue. Existing hedges all around block the view of it as well. The neighbor adjacent to this area has written a letter of support attached here.

Sincerely, BECKER STUDIOS, INC.

Darrell W. Becker President

office: 412 E. Haley St. Studio #3 Santa Barbara, CA 93101 mail: PO Box 41459

phone: 805.965.9555

license #: 713248 www.beekerstudiosine.com EXHIBIT B



From:

Spenser Bruce

Sent:

Tuesday, May 10, 2016 11:54 AM

To:

Chris Cronshaw

Subject:

Fw: Review of permit to permit as-built storage shed at 100 E. Constance Avenue

From: Florence Sanchez < sanchezucsb11@yahoo.com>

Sent: Tuesday, May 10, 2016 11:50 AM To: SFD BSecretary@SantaBarbaraCA.gov

Subject: Review of permit to permit as-built storage shed at 100 E. Constance Avenue

May 19, 2016

To:

Single Family Design Board

City Planning Division

RE: 100 E. Constance Ave, Santa Barbara, CA

MST2014-00625

Parcel Number 025-41-001

To the City Planners:

My property abuts 100 E. Constance on the north and thus I am the closest neighbor to the structure in question. I have lived at this address for 45 years, and during the entire time I have lived here there has been some kind of shed or storage unit in that setback area.

In addition, I specifically recall receiving a review notification in regards to such a shed in 1996-1997, when Dr. Dixon was making major changes to the property. Therefore, I am surprised that the current owners have to go through the review process again for the current structure.

The storage building in question is nicely designed and well-situated for the purpose intended. It blends in and complements both the original design of the home and the improvements that the Van Zants have made. It may be in the required setback area, but because of the differing levels of our respective lots, it presents no esthetic problems as viewed from my property.

I recommend that approval be given for this as-built storage shed. (I am not able to attend the hearing May 16. 2016.)

Florence J. Sanchez 116 E. Constance Ave. Santa Barbara, CA 93105

EXHIBIT C

REVIEW AFTER FINAL

C. 100 E CONSTANCE AVE

E-1 Zone

Assessor's Parcel Number:

025-041-001

Application Number:

MST2014-00625

Owner:

Kenny Van Zant

Applicant:

Diana Kelly

(Proposal for 366 square feet of first-floor additions and 121 square feet of second-floor additions to an existing 3,357 square foot, two-story, single-family residence with a 523 square foot, attached two-car garage. The property includes a designated Indian laurel fig tree to remain unaltered. The proposed total of 4,367 square feet on a 37,779 square foot lot is 89% of the guideline maximum floor-to-lot area ratio [FAR]. This project will address violations identified in Zoning Information Report ZIR2014-00300.)

(Review After Final is requested to permit the "as-built" enclosure of a carport structure to become a storage shed located within the interior setback. Comments only; project requires Staff Hearing Officer review for a requested zoning modification.)

Motion: Continued indefinitely to Staff Hearing Officer with the positive comment that the Board

finds the shed aesthetically appropriate and does not pose consistency issues with the

Single Family Design Guidelines.

Action:

Moticha / Woolery, 2/0/0. Motion carried.